

January 15, 2005

SUBJECT: All Holders of a Commercial Driver's License (CDL) with Hazardous Material Endorsements:

As a result of the terrorist attacks on September 11, 2001, Congress passed new Homeland Security legislation commonly known as the PATRIOT Act. Among other things, this legislation created the federal Transportation Security Agency (TSA) and gave it sweeping new authority over all modes of transportation.

One such provision is TSA's newly adopted [requirements](#) covering all drivers who transport hazardous materials (HAZMATs). As you know Delaware and all of its sister states have been regulating issuance of Hazardous Material Endorsements (HME) for some time, but starting the end of this month, the TSA will also become involved. It will require all state HME's to receive **federal** approval, and that federal approval will not be granted to drivers without a federal security background check. Starting **January 31, 2005**, drivers seeking an HME for the first time must work through the federal process. Drivers with current HME's, who require a transfer, or renewal, will start to be covered **May 31, 2005**.

Please note that these new federal requirements apply only to CDLs with Hazmat endorsements; there will be no change in our procedures for all other CDL licenses. The federal government is still working on the details. For background investigations, drivers will be required to apply directly to a TSA agent, and our DMV offices.

Enclosed with this letter is TSA's summary of the requirements drivers will have to meet in order to pass the federal background investigation. Questions about these requirements or waivers for specific conditions should be addressed to TSA. More information and procedures are available from TSA headquarters, which may be reached by e-mail at patriotact@dhs.gov, through their website at www.tsa.gov (go to keyword HAZMAT), or by postal mail at:

Transportation Security Administration Headquarters
Attn: HAZMAT Program Manager, TSA-19
HAZMAT Waiver/Appeal Process
601 South 12th Street
Arlington, VA 22202

The TSA Contact Center may also be reached at (866) 289-9673.

We suggest that you review the enclosed requirements and prepare yourself for the new process. Above all, if you need an HME, you must start the application process at least 30 days prior to the date on which you require either a new endorsement or the renewal of your existing license. If you fail to pass the new federal procedures, you must notify DMV immediately.

We hope that the federal agencies responsible for these new procedures will be attentive to all states' needs, and we will do our best to assist you. If you are unable to get help from any of the sources above, don't hesitate to contact our Driver Licensing Unit at (302)744-2506, or check our website at www.dmv.de.gov.

Thank you.

Sincerely,

Michael Shahan
Director
Division of Motor Vehicles

Enclosure